

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOEMI RUIZ ORTEGA, *et al.*,

Plaintiffs,

-v.-

AMBROSIA BAKERY CAFE INC., *et al.*,

Defendants.

18 Civ. 2207 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On November 27, 2019, the parties in this action informed the Court that they had reached a settlement in principle. (Dkt. #83). On December 2, 2019, the Court ordered the parties to file their settlement agreement on or before January 2, 2020, for the Court's review in accordance with the FLSA and Second Circuit law. (Dkt. #84). Since that date, the parties have thrice requested an extension for the filing of the settlement agreement. (Dkt. #86, 88, 90). On January 28, 2020, the Court granted the parties' third request for an extension, but warned the parties that no further extensions would be granted. (Dkt. #91). Moreover, the Court advised that if no settlement agreement was filed with the Court by February 3, 2020, the Court would have the parties appear for a conference on the subject. (*Id.*). Due to unforeseen circumstances, the Court granted the parties a one-week reprieve and gave the parties until February 10, 2020, to either file a settlement agreement or appear before the Court. (Dkt. #93).

On February 10, 2020, the parties appeared before the Court for the warned-of conference. Defendants' counsel informed the Court that the delay

in filing was solely due to counsel's inability to secure the signatures of certain Defendants located in Greece. Given the circumstances, the Court ordered Defendants' counsel to obtain the signatures and file the proposed settlement agreement by February 28, 2020. The Court warned counsel that failure to comply with its Order could result in a finding of contempt against counsel and Defendants.

Accordingly, it is ORDERED that Defendants sign and submit the proposed settlement agreement between the parties on or before February 28, 2020. Any failure to do so may result in a finding of contempt.

SO ORDERED.

Dated: February 10, 2020
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge